

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 832 of 2006 (M/B)

Virendra Kumar S/o Sri Sadanand,
R/o Village Chamoli Gaon, Patti Langur Balla,
Tehsil Lensdown, District Pauri Garhwal. Petitioner

Versus

1. State of Uttaranchal,
through Secretary, Department of Industrial Development,
Uttaranchal, Dehradun.
2. Additional Secretary,
Ministry of Mining,
Govt. of Uttaranchal,
Dehradun.
3. District Magistrate,
District Pauri Garhwal.
4. Sub Divisional Officer, Lensdown,
District Pauri Garhwal. Respondents

Mr. Vinay Kumar, Advocate on behalf of Mr. Sudhir Singh, Advocate for the petitioner.

Mr. N.B. Tewari, Chief Standing Counsel for the respondents.

JUDGMENT

**Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.**

RAJEEV GUPTA, C. J. (Oral)

Mr. Vinay Kumar, Advocate on behalf of Mr. Sudhir Singh,
Advocate for the petitioner.

Mr. N.B. Tewari, Chief Standing Counsel for the respondents.

They are heard on admission.

2. Petitioner Virendra Kumar has filed this writ petition for the following reliefs:

“(i) to issue a writ, order or direction in the nature of certiorari quashing the order dated 9.8.2005 passed by respondent no. 2 whereby the application of the petitioner for grant of mining lease rejected.

(ii) to issue a writ, order or direction in the nature of Mandamus directing the respondents to grant the mining lease to the petitioner in Khsra No. 2 and 841

situated in Village – Chamolisen, Tehsil Lensdown,
Distt.- Pauri Garhwal.

(iii) to issue any other appropriate order /
direction as this Hon'ble Court may deem fit and proper
in the circumstances of the case.

(iv) Award the cost of the petition to the
petitioner.

3. The petitioner, in substance, is challenging the impugned order dated 09.08.2005 (Annexure No. 9). The writ petition was filed on 14.07.2006 i.e. almost after about one year of the passing of the impugned order. In the writ petition, the petitioner has not shown any reason, much less sufficient reason, for the delay of about one year in filing the writ petition.

4. We, therefore, decline to entertain the writ petition and the same is dismissed on the ground of delay and laches.

5. Consequently, CLMA No. 8822 of 2006 also stands dismissed.

(Prafulla C. Pant, J.)	(Rajeev Gupta, C. J.)
15.07.2006	15.07.2006

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